

STATE OF INDIANA)
)
COUNTY OF MARION)

SS:

IN THE MARION SUPERIOR COURT
CAUSE NO. 49D07-0601-PL-1792

STATE OF INDIANA,)

Plaintiff,)

v.)

IMERGENT, INC., and)
STORESONLINE, INC.,)

Defendants.)

FILED

146

MAR 19 2007

Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

CONSENT JUDGMENT

The Plaintiff, State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Terry Tolliver, and the Defendants, iMergent, Inc. and StoresOnline, Inc., hereby agree to entry of a Consent Judgment without trial or adjudication of any issue of fact or law herein.

The parties believe it is in their best interest to resolve the issues raised by the State of Indiana and avoid further litigation. This Consent Judgment does not constitute an admission by the Defendants of any wrongdoing, nor shall it be construed as an abandonment by the Attorney General of his position the Defendants violated the Indiana Business Opportunity Transaction Act and the Indiana Deceptive Consumer Sales Act. The parties consent to entry of a final judgment in this proceeding by the Court and accept this Consent Judgment as final on the issues resolved herein.

JURISDICTION, SCOPE OF JUDGMENT, AND ACKNOWLEDGMENTS

1. This Court has jurisdiction and venue over the subject matter of this action and the parties hereto.

2. The State of Indiana's Complaint for Injunction, Restitution, Costs, and Civil Penalties states a cause of action pursuant to the Indiana Business Opportunity Transaction Act, Indiana Code § 24-5-8-20, *et seq.*, and the Indiana Deceptive Consumer Sales Act, Ind. Code § 24-5-0.5-1, *et seq.*

3. The Defendant, iMergent, Inc., is a foreign corporation engaging in business with Indiana investors and maintains its principal place of business at 754 East Technology Avenue, Orem, Utah, 84097-6204.

4. The Defendant, StoresOnline, Inc., is a wholly owned subsidiary of iMergent, Inc., and engages in business with Indiana investors and maintains its principal place of business at 754 East Technology Avenue, Orem, Utah, 84097-6204.

RELIEF ORDERED

5. The Defendants, iMergent, Inc. and StoresOnline, Inc., their agents, representatives, employees, successors, and assigns are permanently enjoined from making the following representations:

- a. The investor may or will earn an amount in excess of the initial payment as a result of the investment;
- b. A market exists for any goods to be made or services to be rendered by the investor;

- c. The seller may buy from the investor any goods to be made or services to be rendered by the investor;
- d. The seller or a person referred by the seller to the investor may or will sell, lease, or distribute the goods made or services rendered by the investor; or
- e. The seller may or will pay to the investor the difference between the initial payment and the investor's earning from the investment.

6. The contracts previously entered into by the Defendants with investors Derrick Wilson, Vicki Gibbs, Vickie & Kelli Brewer, David M. Jackson, Barbara & Tim Muhlbaier, Peggy Ladd, Mark Zeek, Annamma George, and Bart Meadows are hereby cancelled. The Defendants shall also agree to buy back and/or forgive any finance contracts entered into by these investors.

7. The Defendants shall pay restitution in the total amount of Nineteen Thousand Two Hundred and Sixty-One Dollars and Forty-Eight Cents (\$19,261.48) to the Office of the Attorney General, for distribution to the following investors in the following amounts:

a.	Derrick Wilson of Greenwood, Indiana	\$ 4,799.00;
b.	Vicki Gibbs of Anderson, Indiana	\$ 5,299.00;
c.	Vickie & Kelli Brewer of West Lafayette, Indiana	\$ 265.00;
d.	David M. Jackson of New Castle, Indiana	\$ 5,199.00;
e.	Barbara & Tim Muhlbaier of Lake Station, Indiana	\$ 2,221.36; and
f.	Peggy Ladd of Centerville, Indiana	<u>\$ 1,478.12.</u>
TOTAL:		\$19,261.48

8. The Defendants shall pay the Office of the Attorney General the amount of Two Thousand Seven Hundred and Eight Dollars (\$2,708.00), representing the Plaintiff's costs of investigating and prosecuting this action.

9. The Defendants shall pay Nine Thousand Eight Hundred and Forty-One Dollars (\$9,841.64) to the Office of the Attorney General, Consumer Protection Fund.

10. A total monetary judgment in the amount of Thirty-One Thousand Eight Hundred and Eleven Dollars and Twelve Cents (\$31,811.12) shall therefore be entered in favor of the Plaintiff, State of Indiana, and against the Defendants, iMergent, Inc. and StoresOnline, Inc.

11. The Defendants shall cooperate with the Office of the Attorney General in the resolution of any future written complaints the Consumer Protection Division receives. This shall include, but is not limited to, the Defendants promptly resolving valid complaints brought to the Defendants' attention by the Office of the Attorney General, either prior to, or after the filing of, this Consent Judgment with the Court.

CONTINUING JURISDICTION

12. The Court's entry of this Consent Judgment shall not act as a bar to any private right of action.

13. For the purpose of enforcing the provisions of this Consent Judgment, any subsequent Court obtaining jurisdiction over the Defendants based upon a complaint alleging a violation of any law that is the subject of this Consent Judgment may take judicial notice of this Judgment. The Defendants waive any objection regarding a Court's jurisdiction to punish for contempt and agrees to appear upon proper notice of a failure to comply with any of the provisions of this Judgment.

IN WITNESS WHEREOF, the parties have executed this Consent Judgment this
15th day of March, 2007.

STATE OF INDIANA
STEVE CARTER
Indiana Attorney General

by: TJ TR
Terry Tolliver
Deputy Attorney General
Atty. No. 22556-49

iMergent, Inc., and
StoresOnline, Inc.

By: William C. Walter
William C. Walter
Vice President, Legal Affairs

Approved: Claude C. Wild, III
Claude C. Wild, III
Counsel for the Defendants

ALL OF WHICH IS APPROVED, ORDERED, ADJUDGED AND DECREED
this ____ day of ~~MAR 19 2007~~, 2007.

James G. Richmond
Judge, Marion Superior Court

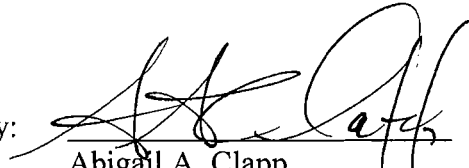
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iMergent, Inc., and
StoresOnline, Inc.

By:

A handwritten signature in black ink, appearing to read 'Abigail A. Clapp', written over a horizontal line.

Abigail A. Clapp
Counsel for the Defendants
Atty. No. 25444-45